(25)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR
DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI D.R. DESHMUKH, J.

Misc. Appeal No. 439 of 2006.

APPELLANT:
CLAIMANT

Anil Kumar Heera Son of Late Shri Sharadchand Heera, aged about 50 years, Occupation Govt. Service, Resident of Village Ajirma, Police Station Jainagar, Tahsil Surajpur, District Surguja (C.G.)

VERSUS

RESPONDENTS:

1. The Oriental Insurance Company Limited, Through: The Branch Manager, The Oriental Insurance Company Limited, Ambedkar Chowk, Manendragarh Road, Ambikapur, District Surguja (C.G.)

2. Manik Chand Pal, Son of Shri Mohan Pal, aged about 40 years, Resident of Village Bhagwanpur, Police Station Ambikapur, District Surguja (C.G.)

Present: Shri Sushil Dubey, learned counsel for the appellant.

ORAL ORDER
(Passed on 19th June, 2006)

The following oral order of the Court was passed by

S.R. NAYAK, CJ .

In this personal injury case, the only contention raised by learned counsel for the appellant is that though the appellant spent a sum of Rs. 1,50,000/- towards medical expenses, the MACT unjustly awarded a sum of Rs. 85,000/- only towards medical expenses. The submission of the learned counsel is not well founded. Before the MACT, the appellant produced medical bills for Rs. 82,993/-. In that view of the matter, no exception could be taken to the impugned award

awarding a sum of Rs. 85,000/- towards medical expenses. The appellant has utterly failed to adduce any substantive evidence to prove that, as a matter of fact, that he spent a sum of Rs. 1, 50,000/- towards medical expenses. No other contentions were raised before us. The appeal is devoid of merit and it is accordingly dismissed.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge